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 5 E-Mail: bkfilings@s-mlaw.com

6 *Attorneys for Shelley D. Krohn, Trustee*

7 **UNITED STATES BANKRUPTCY COURT**
 8 **DISTRICT OF NEVADA**

9 In re:	Case No. BK-S-16-15388-MKN
10 SUPERIOR LINEN, LLC,	Chapter 7
11 Debtor	Adversary No. 18-01103-MKN
12 SHELLEY D. KROHN, CHAPTER 7	
13 TRUSTEE,	
14 Plaintiff,	AMENDED COMPLAINT FOR AVOIDANCE
15 v.	OF PREFERENCE PAYMENTS
16 SHIMMER CLOTHING INC., dba	
17 SHIMMER CLOTHING COMPANY,	
18 Defendant.	

19 Shelley D. Krohn, Trustee (the “Trustee”), the Chapter 7 trustee in the above-captioned
 20 case, by and through her counsel, Schwartzzer & McPherson Law Firm, hereby files this Amended
 21 Complaint For Avoidance Of Preference Payments and alleges and avers as follows:

22 **PARTIES**

23 1. Plaintiff Shelley D. Krohn (“Plaintiff”) is the Chapter 7 Trustee of the bankruptcy
 24 estate of Superior Linen, LLC (the “Debtor”).

25 2. Upon information and belief, Defendant Shimmer Clothing Inc., dba Shimmer
 26 Clothing Company (“Defendant”) is and was at all times relevant herein, a corporation
 27 incorporated in the State of California.

28 //

JURISDICTION AND VENUE

3. The Court has jurisdiction over this complaint pursuant to 28 U.S.C. § 1334 and 157 and 11 U.S.C. §§ 547 and 550.

4. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(F).

5. Venue is proper pursuant to 28 U.S.C. § 1409.

GENERAL ALLEGATIONS

6. Superior Linen, LLC made the following transfers to Defendant:

Check Amount	Check No.	Date Issued	Date Honored
\$5,000.00	34686	June 17, 2016	July 7, 2016
\$5,000.00	34708	June 24, 2016	July 6, 2016
\$5,000.00	34741	June 30, 2016	July 13, 2016
\$5,000.00	34767	July 13, 2016	July 20, 2016
\$5,000.00	34781	July 15, 2016	July 22, 2016
\$5,000.00	34785	July 15, 2016	July 22, 2016
\$5,000.00	34802	July 22, 2016	August 3, 2016
\$5,000.00	34801	July 23, 2016	August 3, 2016
\$5,000.00	34823	July 29, 2016	August 10, 2016
\$5,000.00	34824	July 29, 2016	August 10, 2016
\$5,000.00	34841	August 4, 2016	August 12, 2016
\$5,000.00	34842	August 4, 2016	August 12, 2016
\$11,890.08	34886	August 9, 2016	August 19, 2016
\$5,000.00	34900	August 12, 2016	August 31, 2016
\$5,000.00	34901	August 12, 2016	August 31, 2016
\$5,000.00	34957	August 26, 2016	September 7, 2016
\$5,000.00	34958	August 26, 2016	September 7, 2016
\$10,699.92	35059	September 14, 2016	September 28, 2016
\$34,110.00	35072	September 15, 2016	September 28, 2016
\$6,768.00	35073	September 15, 2016	September 29, 2016

1 (collectively, the "Transfers"). True and correct copies of the Transfers are attached hereto as

2 **Exhibit 1.**

3 7. On September 30, 2018, the Debtor filed for relief under Chapter 7 of the
4 Bankruptcy Code.

5 **FIRST CLAIM FOR RELIEF**
6 (11 U.S.C. § 547)

7 8. The Plaintiff repeats and realleges each and every allegation contained in the
8 preceding paragraphs and incorporates the same as if fully set forth herein.

9 9. The Transfers were an interest of the Debtor in property.

10 10. The Transfers were made to or for the benefit of a creditor, the Defendant.

11 11. The Transfers were made for or on account of an antecedent debt owed by the
12 Debtor before the Transfers were made.

13 12. The Transfers were made while the Debtor was insolvent.

14 13. The Transfers were made within ninety days of the Petition Date.

15 14. The Transfers enabled the Defendant to receive more than it would have received if
16 the Transfers had not been made and the Defendant had received payment of such debt to the
17 extent provided by the provisions of this title.

18 15. The Plaintiff is entitled to a money judgment against the Defendant in the amount
19 of the Transfers, or avoidance of the Transfers, in accordance with 11 U.S.C. §§ 547 and 550.

20 **SECOND CLAIM FOR RELIEF**
21 (11 U.S.C. § 550)

22 16. The Plaintiff repeats and realleges each and every allegation contained in the
23 preceding paragraphs and incorporates the same as if fully set forth herein.

24 17. Plaintiff is entitled to a judgment and order requiring and compelling Defendant to
25 return to the Plaintiff the Transfers.

26 WHEREFORE, the Plaintiff prays for judgment against the Defendant as follows:

27 1. For an order avoiding the Transfers;

28 2. For an award of damages in the monetary sum of the Transfers;

- 1 3. For attorney's fees and costs of suit where appropriate;
- 2 4. For interest under 28 U.S.C. § 1961(a) from the initial date of demand; and
- 3 5. For all other relief the Court deems just and proper.

4 DATED: September 28, 2018.

5 /s/ Jeanette E. McPherson

6 Jeanette E. McPherson, Esq.

7 Schwartz & McPherson Law Firm

8 2850 South Jones Blvd., Suite 1

9 Las Vegas, NV 89146

10 *Attorneys for Shelley D. Krohn, Chapter 7 Trustee*

EXHIBIT 1

34686

SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
1000 Bank St., Las Vegas, NV 89106
www.nsb.com
94-77/1224

6/17/2016

PAY TO THE ORDER OF Shimmer Clothing Company \$ **5,000.00 DOLLARS

Five Thousand and 00/100*****

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

Two signatures required if over \$10,000

RECO
AUTHORIZED SIGNATURE

MEMO

000034686 122400779 612087106

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DO NOT WRITE STAMP OR SIGN
RESERVED FOR FINANCIAL INSTITUTION USE

Date:07/07/16 Seq #:73001255 Account:612087106 Serial #:34686 Amount:\$5,000.00 Dep Seq #:-

34708

SUPERIOR LINEN, LLC OPERATING ACCOUNT 4501 MITCHELL ST NORTH LAS VEGAS, NV 89081 Not valid after 90 days	NEVADA STATE BANK THE DOOR TO YOUR FUTURE 1025 E. Flamingo Rd., Las Vegas, NV 89119 www.nvstatebank.com 94-77/1224	6/24/2016
PAY TO THE ORDER OF Shimmer Clothing Company		\$ 5,000.00 DOLLARS
Five Thousand and 00/100		
Shimmer Clothing Company 4500 Dunham Street Commerce, CA 90040		
MEMO		Two signatures required if over \$10,000   AUTHORIZED SIGNATURE
000034708 1224007791 612087106		

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Date:07/06/16 Seq #:73008728 Account:612087106 Serial #:34708 Amount:\$5,000.00 Dep Seq #:-

34741

SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
1000 S. 5th St., Las Vegas, NV 89101
www.nvstatebank.com

94-77/1224

6/30/2016

PAY TO THE
ORDER OF Shimmer Clothing Company

\$ **5,000.00

DOLLARS

Five Thousand and 00/100*****

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

Two signatures required if over \$10,000





AUTHORIZED SIGNATURE

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Date:07/13/16 Seq #:73002976 Account:612087106 Serial #:34741 Amount:\$5,000.00 Dep Seq #:-

34767

SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
P.O. Box 888, Las Vegas, NV 89138
www.nsbl.com
94-77/1224

7/13/2016

PAY TO THE ORDER OF Shimmer Clothing Company **\$** **5,000.00 **DOLLARS**
Five Thousand and 00/100*****

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

Two signatures required if over \$10,000


AUTHORIZED SIGNATURE

MEMO

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34781

SUPERIOR LINEN, LLC OPERATING ACCOUNT 4501 MITCHELL ST NORTH LAS VEGAS, NV 89081 Not valid after 90 days	NEVADA STATE BANK THE DOOR TO YOUR FUTURE P.O. Box 680, Las Vegas, NV 89128 www.nsbnv.com 94-77/1224	7/15/2016
PAY TO THE ORDER OF Shimmer Clothing Company		\$ **5,000.00 DOLLARS
Five Thousand and 00/100		
Shimmer Clothing Company 4500 Dunham Street Commerce, CA 90040		Two signatures required if over \$10,000
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34785

SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
P.O. Box 880, Las Vegas, NV 89138
www.nsbnv.com

94-77/1224

7/15/2016

PAY TO THE ORDER OF Shimmer Clothing Company **\$ **5,000.00**

Five Thousand and 00/100 **DOLLARS**

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

Two signatures required if over \$10,000

 
AUTHORIZED SIGNATURE

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SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
P.O. Box 880, Las Vegas, NV 89138
www.nsbank.com
94-77/1224

7/22/2016

PAY TO THE ORDER OF Shimmer Clothing Company \$ **5,000.00 DOLLARS

Five Thousand and 00/100*****

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

Two signatures required if over \$10,000

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Date:08/03/16 Seq #:73002423 Account:612087106 Serial #:34802 Amount:\$5,000.00 Dep Seq #:-

34801

SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
P.O. Box 888, Las Vegas, NV 89138
www.nasb.com
94-77/1224

7/23/2016

PAY TO THE ORDER OF Shimmer Clothing Company \$ **5,000.00 DOLLARS

Five Thousand and 00/100***** DOLLARS

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

Two signatures required if over \$10,000

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SUPERIOR LINEN, LLC
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NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
P.O. Box 880, Las Vegas, NV 89128
www.nsb.com
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7/29/2016

**PAY TO THE
ORDER OF** Shimmer Clothing Company **\$** **5,000.00

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

Two signatures required if over \$10,000

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34824

SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
P.O. Box 880, Las Vegas, NV 89130
www.nsbank.com
94-77/1224

7/29/2016

PAY TO THE ORDER OF Shimmer Clothing Company **\$ 5,000.00** DOLLARS
Five Thousand and 00/100

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

Two signatures required if over \$10,000

 
AUTHORIZED SIGNATURE

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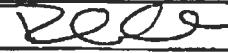
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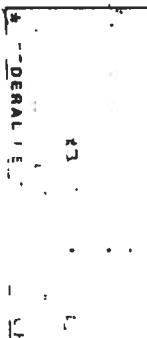
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34841

SUPERIOR LINEN, LLC OPERATING ACCOUNT 4501 MITCHELL ST NORTH LAS VEGAS, NV 89081 Not valid after 90 days	NEVADA STATE BANK THE DOOR TO YOUR FUTURE 100 East Flamingo, Las Vegas, NV 89102 94-77/1224
8/4/2016	
PAY TO THE ORDER OF Shimmer Clothing Company \$ **5,000.00 Five Thousand and 00/100***** DOLLARS Shimmer Clothing Company 4500 Dunham Street Commerce, CA 90040	
Two signatures required if over \$10,000   AUTHORIZED SIGNATURE	
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SUPERIOR LINEN, LLC
 OPERATING ACCOUNT
 4501 MITCHELL ST
 NORTH LAS VEGAS, NV 89081
 Not valid after 90 days

NEVADA STATE BANK
 THE DOOR TO YOUR FUTURE
 P.O. Box 880, Las Vegas, NV 89128
 www.nsbank.com
 94-77/1224

8/4/2016

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PAY TO THE ORDER OF Shimmer Clothing Company **\$ **5,000.00**

Five Thousand and 00/100

DOLLARS

Shimmer Clothing Company
 4500 Dunham Street
 Commerce, CA 90040

Two signatures required if over \$10,000



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Date:08/12/16 Seq #:73067624 Account:612087106 Serial #:34842 Amount:\$5,000.00 Dep Seq #:-

34886

SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
P.O. Box 600, Las Vegas, NV 89126
www.nsbs.com
94-77/1224

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8/9/2016

\$ 11,890.08

DOLLARS

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**PAY TO THE
ORDER OF** Shimmer Clothing Company

Eleven Thousand Eight Hundred Ninety and 08/100

**Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040**

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~~Two signatures required if over \$10,000~~

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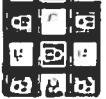
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U T I O N U S E *

Date:08/19/16 Seq #:73042658 Account:612087106 Serial #:34886 Amount:\$11,890.08 Dep Seq #:-

34900

SUPERIOR LINEN, LLC OPERATING ACCOUNT 4501 MITCHELL ST NORTH LAS VEGAS, NV 89081 Not valid after 90 days	NEVADA STATE BANK THE DOOR TO YOUR FUTURE P.O. Box 888, Las Vegas, NV 89135 www.nsbnv.com 94-77/1224
	8/12/2016
PAY TO THE ORDER OF Shimmer Clothing Company	\$ **5,000.00
Five Thousand and 00/100*****	DOLLARS
Shimmer Clothing Company 4500 Dunham Street Commerce, CA 90040	Two signatures required if over \$10,000
  <small>AUTHORIZED SIGNATURE</small>	
<small>MEMO</small> <small>0000349001 122400779 612087106</small>	

<p>Security Features:</p> <p>The back of this check features a security panel with a grid of 9 squares, a large signature line for "ROCE", and a small "AUTHORIZED SIGNATURE" label.</p> <p>155278048 66382816 CAG26 58888888 BIC</p>	<p>ENDORSE HERE</p> <p>CREDITED TO THE ACCOUNT WITHIN NAMED PAYEE.</p> <p>DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE RESERVED FOR FINANCIAL INSTITUTION USE.</p>

Date:08/31/16 Seq #:73003132 Account:612087106 Serial #:34900 Amount:\$5,000.00 Dep Seq #:-

34901

SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
P.O. Box 280, Las Vegas, NV 89128
www.nsbbank.com
94-771224

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8/12/2016

**PAY TO THE
ORDER OF** Shimmer Clothing Company

\$ **5,000.00

Five Thousand and 00/100***** DOLLARS

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

Two signatures required if over \$10,000

 **AUTHORIZED SIGNATURE**

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Date:08/31/16 Seq #:73003131 Account:612087106 Serial #:34901 Amount:\$5,000.00 Dep Seq #:-

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SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
P.O. Box 800, Las Vegas, NV 89128
www.nsbnv.com
94-77/1224

8/26/2016

PAY TO THE ORDER OF Shimmer Clothing Company **\$** **5,000 00 **DOLLARS**
Five Thousand and 00/100*****

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

Two signatures required if over \$10,000



AUTHORIZED SIGNATURE

MEMO

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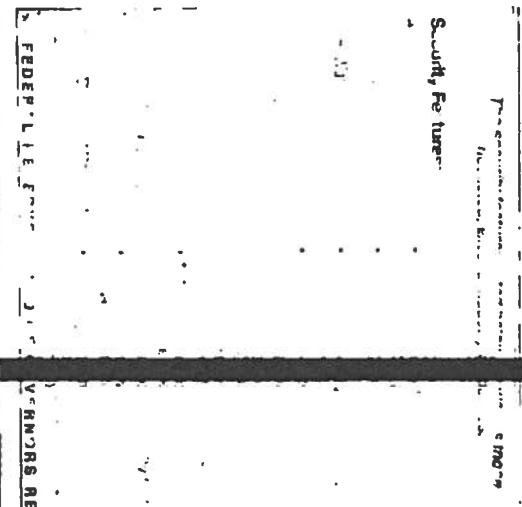
Date:09/07/16 Seq #:73008354 Account:612087106 Serial #:34957 Amount:\$5,000.00 Dep Seq #:-

34958

SUPERIOR LINEN, LLC OPERATING ACCOUNT 4501 MITCHELL ST NORTH LAS VEGAS, NV 89081 Not valid after 90 days	NEVADA STATE BANK THE BANK TO YOUR FUTURE 101 S. 4th St., Las Vegas, NV 89101 www.nvstatebank.com 94-77/1224	8/26/2016
PAY TO THE ORDER OF Shimmer Clothing Company	\$ **5,000.00	DOLLARS
Five Thousand and 00/100	Two signatures required if over \$10,000	
Shimmer Clothing Company 4500 Dunham Street Commerce, CA 90040	  AUTHORIZED SIGNATURE	
MEMO		

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Date:09/07/16 Seq #:73008353 Account:612087106 Serial #:34958 Amount:\$5,000.00 Dep Seq #:-

35059

SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE ROAD TO YOUR FUTURE
P.O. Box 600, Las Vegas, NV 89138
www.rtsb.com
94-77/1224

9/14/2016

PAY TO THE ORDER OF Shimmer Clothing Company **\$** **10,699.92 **DOLLARS**
Ten Thousand Six Hundred Ninety-Nine and 92/100*****

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

MEMO

Two signatures required if over \$10,000


AUTHORIZED SIGNATURE

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Date:09/28/16 Seq #:73043112 Account:612087106 Serial #:35059 Amount:\$10,699.92 Dep Seq #:-

35072

SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
P.O. Box 888, Las Vegas, NV 89130
www.nsb.com

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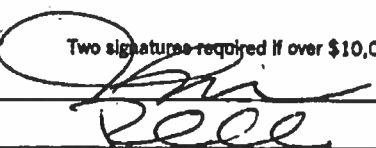
PAY TO THE ORDER OF Shimmer Clothing Company **\$** **34,110.00

Thirty-Four Thousand One Hundred Ten and 00/100 **DOLLARS**

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

MEMO

Two signatures required if over \$10,000

AUTHORIZED SIGNATURE

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DO NOT WRITE, STAMP OR SIGN
RESERVED FOR FINANCIAL INSTITUTION USE *

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Date:09/28/16 Seq #:73043113 Account:612087106 Serial #:35072 Amount:\$34,110.00 Dep Seq #:-

35073

SUPERIOR LINEN, LLC
OPERATING ACCOUNT
4501 MITCHELL ST
NORTH LAS VEGAS, NV 89081
Not valid after 90 days

NEVADA STATE BANK
THE DOOR TO YOUR FUTURE
101 BROAD, LAS VEGAS, NV 89101
www.nvstatebank.com
94-77/1224

9/15/2016

PAY TO THE ORDER OF Shimmer Clothing Company **\$** **6,768.00

Six Thousand Seven Hundred Sixty-Eight and 00/100 **DOLLARS**

Shimmer Clothing Company
4500 Dunham Street
Commerce, CA 90040

Two signatures required if over \$10,000

RECE **AUTHORIZED SIGNATURE**

MEMO
MB091216-1

1000035073 01224007791 612087106

ENDORSE HERE

DO NOT WRITE, STAMP OR SIGN
RESERVED FOR FIN. N. A. INS.
FOLLOW THIS LINE
RETURN USE *

Shimmer, LLC
10/16/16

Date:09/29/16 Seq #:73000403 Account:612087106 Serial #:35073 Amount:\$6,768.00 Dep Seq #:-